IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 12739 of 2004(J)

PETITIONER:

JOSE. J., PONNEZHATH,
PONNEZHETH HOUSE, PATTANAKKAD P.O.,
VAYALAR, CHERTHALA.

BY ADV. SRI.R.PARTHASARATHY
SMT.S.LAKSHMY

RESPONDENTS:
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1. CHERTHALA MUNICIPALITY, REPRESENTED BY THE SECRETARY, MUNICIPAL OFFICE, CHERTHALA.

2. THE APPEAL COMMITTEE, REPRESENTED BY CHAIRMAN, CHERTHALA MUNICIPALITY, MUNICIPAL OFFICE, CHERTHALA.

BY GOVERNMENT PLEADER SMT. K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 12739/2004 N.

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE RECEIPT ISSUED BY THE R1 ON THE PAYMENT OF PROPERTY TAX BY THE PETITIONER FOR THE YEAR 2003, DT. 23/6/2003.

EXT.P2. COPY OF THE NOTICE BY THE R1 DT. 1/09/03.

EXT.P3. COPY OF THE APPEAL BEFOR THE APPEAL COMMITTEE DT. 19/09/03.

EXT.P4. COPY OF THE ORDER OF THE R2 DT. 5/11/2003.

EXT.P5. COPY OF THE MEMORANDUM OF APPEAL AND RECEIPT ON PAYMENT OF RS. 4272/-

EXT.P6. COPY OF THE ORDER OF THE R2 DT. 28/2/2004.

EXT.P7. COPY OF THE NOTICE OF THE R1 FOR THE ADJACENT BUILDING.

EXT.P8. COPY OF THE PLAN OF ADJACENT BUILDING.

EXT.P9. COPY OF THE ASSESSMENT FOR ADJACENT BUILDING DT. 6/6/01.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

KURIAN JOSEPH, J.

W.P.(C) NO. 12739 OF 2004

Dated this the 7th day of December, 2007.

J U D G M E N T

Petitioner is aggrieved by Exhibits P2, P4 and P6 in the matter of assessment of property tax under the respondent-Municipality. It is seen that none of the orders is a speaking order. Since the petitioner has been pursuing a statutory remedy, the statutory authorities are bound to pass a reasoned order after hearing the petitioner. Therefore, the impugned orders are quashed with a direction to the first respondent to pass a speaking order adverting to the contentions taken by the petitioner, with notice to the petitioner within a period of four months from the date of production of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp